

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

MARK A. STARKEY,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 1:10CV61 SNLJ
)	
STATE OF MISSOURI, et al.,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court upon its own motion. Plaintiff has submitted a one page document titled "complaint" with the notation that this is only the first page of a document he has not been able to photocopy. The document submitted by plaintiff is not a complaint as it does not set forth any specific allegations against the named defendants and fails to comply with Federal Rules of Civil Procedure 8 and 10.¹ As such, the Court will order plaintiff to submit an amended complaint,, on a court-provided form, within thirty (30) days of the date of this Order.

Additionally, the Court notes that plaintiff has neither paid the filing fee nor submitted a motion to proceed in forma pauperis. As a result, the Court will order plaintiff to either pay the \$350 filing fee or submit a motion to proceed in forma pauperis within thirty (30) days of the date of this Order. Additionally, if plaintiff files a motion to proceed in forma pauperis, he must also file a certified copy of his prison account statement for the six-month period immediately preceding the filing of his complaint. 28 U.S.C. § 1915(b).

¹Federal Rule of Civil Procedure 8(a) requires that a complaint contain "a short and plain statement of the claim showing that the pleader is entitled to relief, and . . . a demand for judgment for the relief the pleader seeks." Rule 8(e) requires that "[e]ach averment of a pleading shall be simple, concise, and direct." And Rule 10(b) requires that "[a]ll averments of claim or defense shall be made in numbered paragraphs, the contents of each of which shall be limited as far as practicable to a statement of a single set of circumstances."

Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court shall provide plaintiff a blank civil complaint form for actions brought pursuant to 42 U.S.C. § 1983, as well as a copy of the Court's form motion to proceed in forma pauperis – prisoner cases.

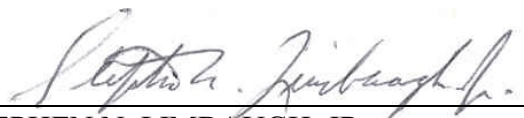
IT IS FURTHER ORDERED that within thirty (30) days of the date of this Order, plaintiff shall submit, on the Court-provided form, an amended complaint in this action.

IT IS FURTHER ORDERED that plaintiff shall either pay the \$350 filing fee or submit a motion to proceed in forma pauperis within thirty (30) days of the date of this Order.

IT IS FURTHER ORDERED that if plaintiff submits a motion to proceed in forma pauperis, he must also submit a certified copy of his prison account statement for the six-month period immediately preceding the filing of his complaint.

IT IS FURTHER ORDERED that if plaintiff fails to comply with this Order, the Court may dismiss this action without prejudice.

Dated this 28th day of April, 2010.



STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE